

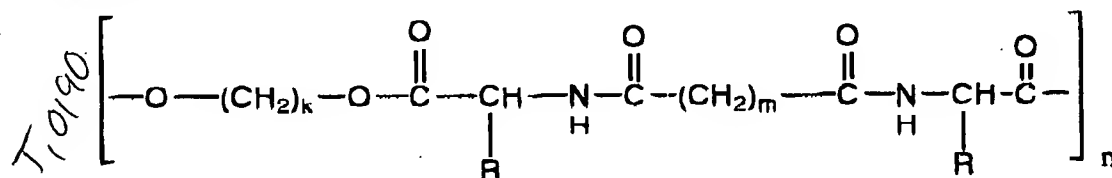
Attorney Docket No.: 62610.000001
Application Serial No. 09/757,704

IN THE CLAIMS:

Please amend the claims as follows.

1. (*Currently Amended*) A bioerodable construct for controlled release of bioactive materials, said construct comprising a blend of two ~~or more~~ poly(ester-amide) polymers (PEA) prepared by polymerizing a diol (D), a dicarboxylic acid (C) and an alpha-amino acid (A) through ester and amide links in the form (DACA)_n.

wherein the PEA polymer has the formula:



wherein $k = 2-12$,
 $m = 2-12$,
 $R = CH(CH_3)_2$, $CH_2CH(CH_3)_2$ [[.]], $CH(CH_3)CH_2CH_3$, $(CH_2)_3CH_3$,
or $CH_2C_6H_5$ [[.]] or $(CH_2)_3SCH_3$.

and,

wherein the ratio of Phe-PEA to Leu-PEA is from 10:1 to 1:1.

2. (*Original*) The construct of claim 1, wherein $k = 2, 3, 4$, or 6 and $m = 4$ or 8.

3. (*Cancelled*)

4. (*Cancelled*)

5. (*Original*) The construct of claim 1, wherein the ratio of Phe-PEA to Leu-PEA is 5:1 to 2.5:1.

6. (*Currently Amended*) The construct according to any one of claims [[1-5]] 1, 2 or 3, wherein the construct is a deformable sheet adapted to conform to a biological surface.

7. (*Previously Presented*) The construct according to claim 6, further comprising a bioactive agent.

Attorney Docket No.: 62610.000001
Application Serial No. 09/757,704

6
8. (Original) The construct of claim ⁵7, wherein the bioactive agent is selected from the group consisting of antiseptics, anti-infectives, such as bacteriophages, antibiotics, antibacterials, antiprotozoal agents, and antiviral agents, analgesics, anti-inflammatory agents including steroids and non-steroidal anti-inflammatory agents including COX-2 inhibitors, anti-neoplastic agents, contraceptives, CNS active drugs, hormones, and vaccines

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9. (Previously Presented) The construct according to claim ⁶7, wherein the construct comprises an enzyme capable of hydrolytically cleaving the PEA polymer.

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10. (Original) The construct according to claim ⁷9, wherein the enzyme is α -chymotrypsin.

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11. (Original) The construct according to claim ⁷9, wherein the enzyme is adsorbed on the surface of the construct.

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12. (Original) The construct according to claim ⁷9, wherein the construct contains bacteriophage which are released by action of the enzyme.

11
13. (Original) A method of treating a patient having an ulcerative wound comprising inserting into the wound or covering the wound with a bioerodable construct according to claim 1, wherein the bioerodable construct is a deformable sheet containing a bioactive agent.

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14. (Original) The method of claim ¹¹13, wherein the bioactive agent is bacteriophage, an antibiotic, an antiseptic, or an analgesic.

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15. (Original) The method of claim ¹¹13, wherein the wound is open or infected.

14
16. (Original) The method according to claim ¹²14, wherein the bacteriophage are specific for bacteria found in the wound.

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17. (Previously Presented) The method according to any one of claim ¹¹⁻¹⁴13-16, wherein the construct also comprises an enzyme capable of hydrolytically cleaving the PEA polymer.

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18. (Currently Amended) The construct according to any one of claims ¹[[1-5]] 1, 2 or 3, further comprising a bioactive agent.

Attorney Docket No.: 62610.000001

Application Serial No. 09/757,704

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¹⁷~~19~~. (Previously Presented) The construct of claim ¹⁶~~18~~, wherein the bioactive agent is selected from the group consisting of antiseptics, anti-infectives, such as bacteriophages, antibiotics, antibacterials, antiprotozoal agents, and antiviral agents, analgesics, anti-inflammatory agents including steroids and non-steroidal anti-inflammatory agents including COX-2 inhibitors, anti-neoplastic agents, contraceptives, CNS active drugs, hormones, and vaccines.

¹⁶~~20~~. (Previously Presented) The construct according to any one of claims ~~[[1-5]]~~ ¹⁸~~1, 2~~ or ¹³~~8~~, wherein the construct comprises an enzyme capable of hydrolytically cleaving the PEA polymer.

¹⁹~~21~~. (Previously Presented) The construct according to claim ¹⁸~~20~~, wherein the enzyme is α -chymotrypsin.

²⁰~~22~~. (Previously Presented) The construct according to claim ¹⁸~~20~~, wherein the enzyme is adsorbed on the surface of the construct.

²¹~~23~~. (Previously Presented) The construct according to claim ¹⁸~~20~~, wherein the construct contains bacteriophage which are released by action of the enzyme.
